

Message Text

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ORIGIN AF-10

INFO OCT-01 ISO-00 L-03 PA-01 HA-05 TRSE-00 IO-13
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L/HR: CRUNYON
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FM SECSTATE WASHDC
TO AMCONSUL CAPE TOWN
INFO AMEMBASSY PRETORIA

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CAPE TOWN FOR EMBASSY

E.O. 11652: N/A

TAGS: PINT, SHUM, SF

SUBJECT: PROPOSED PRESS GUIDANCE ON FUND RAISING BILL

1. FOLLOWING PRESS GUIDANCE ON SOUTH AFRICAN FUND
RAISING BILL PREPARED FOR DEPARTMENT SPOKESMAN BUT
NOT USED IN ABSENCE OF QUESTION.

2. BEGIN QUOTE: WHAT IS THE DEPARTMENT'S REACTION
TO THE REPORT THAT SOUTH AFRICA HAS ENACTED LEGISLA-
TION TO REGULATE FUND-RAISING THAT COULD BE USED TO
PUT AN END TO OVERSEAS CONTRIBUTIONS FOR THE LEGAL
DEFENSE OF PERSONS CHARGED WITH POLITICAL CRIMES?

ANSWER: THE LAW IN QUESTION AIMS TO REGULATE FUND
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RAISING BY PRIVATE ORGANIZATIONS IN SOUTH AFRICA,
ALTHOUGH
SOME OF ITS PROVISIONS APPARENTLY COULD BE EMPLOYED
TO RESTRICT OVERSEAS CONTRIBUTIONS FOR LEGAL DEFENSE.
I MIGHT NOTE THAT THE ENTIRE BILL CAME IN FOR SEVERE
CRITICISM FROM WITHIN THE SOUTH AFRICAN BAR AND
POLITICAL OPPOSITION IN THE SOUTH AFRICAN PARLIAMENT.

FROM THE STANDPOINT OF THE U.S. GOVERNMENT WE WOULD
HOPE THAT THE NEW LAW WOULD NOT BE USED TO CUT OFF

FUNDS FOR LEGAL DEFENSE. SOUTH AFRICA INHERITS A FINE
LEGAL TRADITION WHICH ATTACHES IMPORTANCE TO A FAIR TRIAL
FOR ACCUSED PERSONS. THE DIFFICULTIES FACED BY THE
DEFENSE IN SO-CALLED SECURITY CASES ARE ALREADY ENORMOUS
AND ANY FURTHER RESTRICTIONS ON LEGITIMATE LEGAL DEFENSE
ARE TO BE DEPLORED. END TEXT

3. EMBASSY MAY DRAW ON ABOVE GUIDANCE IF OCCASION
ARISES. EMBASSY'S COMMENTS/SUGGESTIONS ON ABOVE GUIDANCE
WELCOMED. VANCE

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Message Attributes

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